

Appl. No. : 09/693,548
Filed : October 19, 2000

REMARKS

In response to the Office Action mailed January 16, 2003, Applicants respectfully request that the Examiner reconsider the above-captioned application in light of the above amendments and the following remarks.

All Claims Are Distinguished Over Hochstein

The Examiner rejected Claims 1-3, 7-18, 38-43 and 47 under either 35 U.S.C. § 102(e) or 103(a) as anticipated by or obvious over U.S. Patent No. 6,045,240 to Hochstein. Several claims, including independent Claim 1, have been amended, and are currently patentable over Hochstein. Applicants respectfully traverse the Examiner's rejection of Claims 38-43.

Hochstein discloses a traffic signal LED lamp assembly. The LED lamp includes a heat sink or base 36 and a tubular shell 38 extending forwardly from the edges of the base 36. As shown in Figure 2, a plastic cover 42 surrounds the base 36 and *insulating material 44 is disposed between the base 36 and the cover 42 to limit heat transfer between the base 36 and cover 42*. In another embodiment shown in Figures 3-4, a *base 36(a) has fins*, and only edges of the base 36(a) appear to be attached to a cover or casing.

Hochstein does not teach or suggest all of the limitations of the rejected claims. For example, Claim 1 recites, *inter alia*, An LED module for mounting on a heat conducting surface that is substantially larger than the module. The module of Claim 1 includes, *inter alia*, a heat conductive body having a first portion in thermal communication with a plurality of contacts through a dielectric sheet, and a second portion adapted to provide thermal contact with the heat conducting surface, the second portion having a surface generally complementary to the heat conducting surface, whereby heat is transferred from the module to the heat conducting surface. As discussed above, Hochstein's base is insulated to limit heat transfer between the base 36 and the cover 42, or the base 36(a) has fins and is open to the air. *See* col. 5, ll. 26-35.

Hochstein does not teach or suggest all of the limitations of amended Claim 1. As such, Applicants respectfully contend that Claim 1 currently is in condition for allowance. The claims that depend from Claim 1 recite additional patentable subject matter and, when considered in their entirety, define over the cited prior art. As such, the dependent claims also are in condition for allowance.

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Claim 38 recites, *inter alia*, a low profile modular lighting apparatus for conducting heat away from a light source of the apparatus and to a mounting surface, a plurality of contacts arranged adjacent a first side of a main body and in thermal communication with the first side of the main body, the main body electrically insulating the plurality of contacts relative to one another, and wherein the circuit board is generally planar and a second side of the main body opposite the first side is generally flat to facilitate heat transfer from the main body to the mounting surface and so that the apparatus has a low profile upon the mounting surface.

Hochstein does not teach or suggest all of the limitations of Claim 38. For example, as discussed above, Hochstein's base 36 is insulated to limit heat transfer between the base and the cover 42, or the base 36(a) has fins and is open to the air. Further, Hochstein's assembly 10 includes a high profile casing or cover 42 and a tubular shell 38. Since Hochstein does not teach or suggest all of the limitations of Claim 38, this claim currently is in condition for allowance. The claims that depend from Claim 38 recite additional patentable subject matter and, when considered in their entirety, define over the cited art. As such, the dependent claims also are in condition for allowance.

Claims 25 and 31 Have Been Rewritten Into Independent Form

The Examiner objected to Claims 25 and 31, but indicated that these claims would be allowable if rewritten into independent form. As such, limitations of Claim 1 have been inserted into Claims 25 and 31 and these claims have been rewritten into independent form. However, Applicants note that not all of the limitations of Claim 1 have been incorporated into Claims 25 and 31, and these claims include some different terms than were in original Claim 1. Nevertheless, Applicants respectfully contend that Claims 25 and 31 are in condition for allowance.

Amended Claim 54 Remains in Condition For Allowance

The Examiner allowed independent Claim 54. Applicants have amended Claim 54 to increase the clarity of some terms and increase the breadth of others. Applicants maintain that Claim 54, and the claims that depend therefrom, remain in condition for allowance.

Previously Added Claims 64-81 Not Yet Considered by Examiner

Applicants added Claims 64-81 in the Preliminary Amendment filed on November 25, 2002. However, in the currently-pending Office Action, the Examiner has not addressed these

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claims. The Examiner indicated in a telephone call with Applicants' counsel that she would issue a non-final Office Action if grounds were found for rejecting these claims. Some of these claims have been amended to increase clarity without narrowing claim scope. All of Claims 64-81 are considered to be in condition for allowance.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the rejections and objections set forth in the outstanding Office Action are inapplicable to the present claims. Accordingly, early issuance of a Notice of Allowance is most earnestly solicited.

The undersigned has made a good faith effort to respond to all of the rejections in the case and to place the claims in condition for immediate allowance. Nevertheless, if any undeveloped issues remain or if any issues require clarification, the Examiner is respectfully requested to call Applicant's attorney in order to resolve such issue promptly.

Respectfully submitted,

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